## **REMARKS**

Claims 18, 19, 38 and 39 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which applicant regards as the invention. Claims 18, 19, 38 and 39 have been cancelled so that this matter is no longer in question.

Claims 1-17, 20-37 and 40 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 20-12, 14,15, 17, 19-27, 29, 30, 32, 33 and 35 of U.S. Patent No. 6,267,246. Enclosed herewith is a Terminal Disclaimer to obviate a double patenting rejection under 37 CFR 1.321(b).

20575

PATENT TRADEMARK OFFICE

Marger Johnson & McCollom, P.C. 1030 SW Morrison Street Portland, Oregon 97205 (503) 222-3613 Respectfully submitted,

Jerome S. Marger

Registration Number 26,480